

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

ARMANDO LONGORIA,

Plaintiff,

VS.

NATHANIEL QUARTERMAN,

Defendant.

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CIVIL ACTION NO. C-07-75

**ORDER ADOPTING MEMORANDUM AND RECOMMENDATION
ON RESPONDENT'S MOTION FOR SUMMARY JUDGMENT**

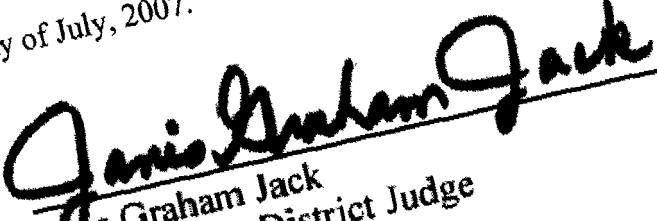
On June 21, 2007, United States Magistrate Judge Brian L. Owsley signed a Memorandum and Recommendation recommending that respondent's motion for summary judgment (D.E. 9) be granted, and that petitioner's petition for writ of habeas corpus be dismissed for want of jurisdiction, or alternatively, because petitioner's petition is time barred and fails to state a valid claim for federal habeas relief. The Memorandum and Recommendation further recommended that the petitioner be denied a certificate of appealability. On July 13, 2007, petitioner filed objections to the Magistrate's recommendation.

Having reviewed the findings of fact and conclusions of law therein, as well as the pleadings on file and petitioner's objections, and having made a *de novo* disposition of those portions of the Magistrate Judge's recommended disposition to which objections were raised, *see Koetting v. Thompson*, 995 F.2d 37 (5th Cir. 1993), 28 U.S.C. § 636(b)(1)(C); Fed.R.Civ.P.72(b), the Court hereby adopts as its own the findings and conclusions of the Magistrate Judge.

Accordingly, it is ORDERED that respondent's motion for summary judgment (D.E. 9) is granted and petitioner's petition for writ of habeas corpus is dismissed for want of jurisdiction. Petitioner is denied a certificate of appealability.

The clerk shall enter this order and provide a copy to all parties.

SIGNED this 17th day of July, 2007.


James Graham Jack
United States District Judge